

## Remarks

- 1) Applicant thanks the Examiner for his office action and hopes that this response will further the understanding of applicant's invention.
- 2) Claims 1-25 stand rejected in under 35 U.S.C. 103(a) as being unpatentable over McCanne (US 6,785,704) in view of Albert et al. (US 6,650,641).
- 3) Applicant amended claim 1 after discovering an inadvertent error therein, wherein the claim was erroneously directed to transmitting the packet and redirection header to the service address, while it should have been directed to such transmission to the source address. A corresponding error was corrected in the specifications. Clear support for this amendment is provided in paragraphs 31 and 32, in other claims, and throughout the application. Applicant submits that neither McCanne nor Albert disclose the step of transmitting the packet and the redirection header back to the source address, and therefore that the rejection regarding claim 1 and its dependent claims has been overcome.
- 4) Relating to claim 1 and its dependents, the Office asserted that "McCanne et al (sic) teach a method for rerouting network traffic operating in conjunction with a server cluster comprising at least a first and a second server (fig. 1, items 10 and 14)." Applicant respectfully disagrees. A server cluster is commonly understood to mean a group of servers having, in a group, high availability, "always on" functionality, i.e. servers which operate as a group to serve clients as a single fault tolerant server. This common term was clearly described as such in the specification (see paragraphs 1, 2, and generally across the application). On the other hand, in the description of Fig. 1 McCanne states that "FIG. 1 is illustration of a system 10 in which clients 12 are connected to servers 14 via an infrastructure 16." Thus the McCanne reference does not teach, hints, or enable, rerouting method that operates with a server cluster, and therefore it further does not teach nor hint of the method where a packet and a rerouting header are transmitted to the source address.

- 5) The Office stated that: "receiving a packet in a first server, the packet containing indication of a source address (column 24, lines 38-41, and 58-62)". The first citation (lines 38-41) is directed to transactional redirection system which 'merely receives a single request packet, parsing its contents and responding with a single reply packet'. The second citation (lines 58-62) relates to "a host is configured with the IP address of a DSN server, which performs name translation on behalf of that client". Further, the Office stated that : "McCanne et al further teach adding a redirector header to the packet (column 26, lines 26-34)". This citation relates to packet redirection in general, but does not disclose any addition of a redirector header to the packet, as claimed by the Office. Applicant therefore submits that the office further failed to show a prima facie case of obviousness as the office failed to show the references disclosing the claimed steps. Applicant further respectfully requests that if the above statement is inaccurate the Office will kindly point out how the references as cited by the office indeed disclose the claimed feature.
- 6) Regarding independent claim 15 and its dependent claims, applicant already addressed the difference between the server cluster and the system disclosed by McCanne, and the above rationale similarly applies. Furthermore, applicant respectfully submits that the Office erred in claiming the Albert reference discloses a server adapted to said the service address to the client that originated the request. The reference cited discloses "... an affinity key that corresponds to the flow from the host back to the client.". Thus the Albert system requires the agent to continue and compare the packets to the affinity keys and utilize those keys for continued redirection. In contrast, the present invention discloses sending the service address BACK TO THE CLIENT as claimed.
- 7) Regarding claim 20, applicant respectfully directs the attention of the Office that the two modules are both comprised within a client. None of

the cited references disclose a second module to resend the packet to a second server responsive to a redirection header. On the contrary, McCanne describes a CDSR redirector that utilizes policies to select a destination and redirects the packets accordingly, while Albert et al. teaches away by describing the different manners in which each forwarding agent redirect the different flows. Thus none of the references describes the claimed second module within the client adapted to receive information from the redirection header and utilize that information to direct the service request to another destination. Therefore, applicant respectfully submits that alone and in combination, the references teach away from the claimed invention.

- 8) Furthermore, the present invention is directed to increasing reliability and availability of a server cluster. The McCanne reference is directed to a content distribution system with content peering to allow broadcasting with reduced load. The Albert et al. reference is directed to a NAT (Network Address Translation) system using a forwarding agent, to address scalability of network service appliances. The field of endeavor of the present invention and the patent references differ, and therefore as they are directed to non-analogous art, the combination of the references is improper.

Applicant has made a good faith effort to address each and every point made by the Examiner, and amended the claims in order to place the application in condition for allowance. In light of the showing and all other reasons stated above, applicant believes that the rejections presented by the Examiner in the office action mailed to applicant Oct 21, 2002 were overcome. Applicant therefore submits that the claims as amended are in condition for allowance. Reconsideration and withdrawal of the rejection and issue of a notice of allowance on all pending claims is respectfully solicited.

Should the Examiner find any deficiency in this amendment or in the application, or should the Examiner believe for any reason, that a conversation with applicant's

agent may further the allowance and issuance of this application, the Examiner is kindly requested to contact Shalom Wertsberger at telephone (207) 799-9733.

Respectfully submitted



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